

### **REMARKS**

By this amendment Applicants have amended independent claims 1 and 13. Applicants have added new dependent claims 23 and 24. No new matter has been added. Claims 1-9, 11-19, and 21-24 are now pending of which claims 1 and 13 are in independent form. Applicants believe the application to be in condition for allowance.

#### **Summary of Telephone Conference with Examiner**

Applicants thank the examiner for his time in conducting a telephonic interview on July 10, 2007. During this interview, the prior art and the condition of the application was discussed. No agreement was reached.

#### **Rejections Under 35 U.S.C. §103**

The Office Action rejected claims 1-9, 11, 13-19, and 21 under 35 U.S.C. §103(a) as being allegedly unpatentable over U.S. Patent No. 6,023,724 to Bhatia (“Bhatia”) in view of U.S. Patent No. 6,256,671 to Strentzsch (“Strentzsch”). Applicants traverse these rejections and respectfully request reconsideration.

Bhatia discloses an ISDN LAN modem having an internal router for connecting multiple LAN devices to an external network. (Abstract) One feature of the modem is Bhatia includes a host list in which *local* host identifiers and corresponding IP addresses are stored. (Column 18, Lines 12-42) By using such a host list, the modem of Bhatia can track host devices connected to the *local* network and characteristics of those devices. Bhatia does not disclose the use of any other lists of host or domain names or characteristics.

Strentzsch discloses a switching system with network access control features. (Abstract) The system of Strentzsch performs a check to determine if a requestor is allowed access to a requested hosts system corresponding to a particular host name. (Abstract) One feature of the switching system of Strentzsch includes a DNS proxy. (Column 5, Line 54) The DNS proxy includes a locally stored list of DNS responses. (Column 5, Line 54 to Column 6 Line 37) The DNS responses are provided from *external* DNS name servers on the Internet. (Column 6, Lines 22-27) The access control features of Strentzsch are not part of the address resolution capabilities and do not relate to the switching systems ability to perform efficient address resolution.

Applicants respectfully disagree with the proposed combination of Bhatia and Strentzsch recited in the Office Action. The Office Action alleges that one of ordinary skill in the art would have been motivated to combine the teachings of Bhatia and Strentzsch to reduce the amount of times the system of Bhatia performs DNS requests. However, Bhatia includes no teaching suggestion or motivation that such a combination would be desirable. Bhatia does not disclose any information regarding improving DNS performance. Moreover, Strentzsch includes no teaching suggestion or motivation that such a combination would be desirable. Strentzsch does not disclose any information regarding local address resolution, but rather focuses on preventing access to remote systems by use of a DNS filtering mechanism. Accordingly, because neither Strentzsch nor Bhatia includes any teaching suggestion or motivation for combination, the combination thereof is improper.

#### Claim 1

Assuming without admitting that the proposed combination is correct, Applicants' claim 1 still patentably distinguishes over the combination because the combination of Bhatia and Strentzsch does not teach, suggest, or disclose all of the elements of independent claim 1, as amended. In contrast to the combination of Bhatia and Strentzsch, Applicants' claim 1, as amended, recites a network modem device connecting a Local Area Network to a remote network. The network modem device includes a local store with a list of domain or host names and attribute data, a DNS relay module, and a router. The DNS relay module is configured *to consult said list and said attribute data in an order influenced, at least in part, by result speed*.

The combination of Bhatia and Strentzsch does not teach or suggest a DNS relay module configured *to consult said list and said attribute data in an order influenced, at least in part, by result speed*. Rather, as discussed above, neither Bhatia nor Strentzsch disclose a DNS relay module in which more than a single set of items is consulted for DNS matches. Moreover, neither Bhatia nor Strentzsch disclose any manner or order to the consultation of that single set of items. Particularly, Strentzsch does not disclose any order for the consultation of the DNS names stored by the DNS proxy disclosed therein, and Bhatia does not disclose any order for the consultation of host names stored by the host list disclosed therein.

Accordingly, the combination of Bhatia and Strentzsch fails to teach or suggest a DNS relay module configured *"to consult said list and said attribute data in an order influenced, at*

*least in part, by result speed.*” Therefore, Applicants’ claim 1 patentably distinguishes over Bhatia and Strentzsch and withdrawal of this rejection is respectfully requested. At least based on the dependency of claims 2-9, and 11 from claim 1, the rejections of claims 2-9, and 11 should also be withdrawn.

The Office Action further rejected claim 12 under 35 U.S.C. §103(a) as being unpatentable over Bhatia and Strentzsch in further view of U.S Patent No. 6,016,512 to Huitema (“Huitema”).

The rejection of claim 12 should also be withdrawn because claim 12 depends from allowable independent claim 1 and Huitema does not supply the missing element of a DNS relay module configured “*to consult said list and said attribute data in an order influenced, at least in part by result speed.*” of claim 1, as described above. Rather, Huitema discloses system that fetches most frequently requested domain names and stores them locally to improve DNS performance. (Abstract)

Accordingly, because Huitema does not teach or suggest the missing element from the combination of Bhatia and Strentzsch of a DNS relay module configured “*to consult said list and said attribute data in an order influenced, at least in part, by result speed.*” as discussed above and recited in claim 1, claim 12, which depends from claim 1, patentably distinguishes over the combination of Bhatia, Strentzsch, and Huitema. Therefore, the rejection of claims 12 should be withdrawn.

### Claim 13

The Office Action rejected claim 13 as being unpatentable over Bhatia and Strentzsch. Applicants traverse this rejection and respectfully request reconsideration.

In contrast to the combination of Bhatia and Strentzsch, Applicants’ claim 13, as amended recites a method for relaying DNS requests on a LAN connected through a router to a remote network by a network modem device. The method comprises a DNS relay module consulting a local store containing a list of domain or host names and attribute data, *in an order influenced, at least in part, by result speed*, to respond to said request, without connecting to said external DNS when accessing said domain name, when said domain name requested is on said list, wherein said list comprises: a list of domain names looked-up on an external DNS with

corresponding attribute data, and a list of host names declared on said LAN with corresponding attribute data.

Applicants' claim 13 patentably distinguishes over the combination of Bhatia and Strentzsch. In particular, the combination of Bhatia and Strentzsch does not teach or suggest "consulting a local store containing a list of domain or host names and attribute data, *in an order influenced, at least in part, by result speed,*" as recited in claim 13. As described above, neither Bhatia nor Strentzsch disclose a DNS relay module in which more than a single set of items is consulted for DNS matches or any manner or order to the consultation of that single set of items.

Accordingly, because the combination of Bhatia and Strentzsch does not teach or suggest "consulting a local store containing a list of domain or host names and attribute data, *in an order influenced, at least in part, by result speed,*" as recited in claim 13, claim 13 patentably distinguish over the combination of Bhatia and Strentzsch. Therefore, the rejections of claim 13 should be withdrawn. The rejection of claims 14-19, and 21, which depends from allowable independent claim 13, should also be withdrawn.

The Office Action further rejected claim 22 under 35 U.S.C. §103(a) as being unpatentable over Bhatia and Strentzsch in further view of Huitema.

The rejection of claim 22 should also be withdrawn because claim 22 depends from allowable independent claim 13 and Huitema does not supply the missing element of "consulting a local store containing a list of domain or host names and attribute data, *in an order influenced, at least in part, by result speed*" of claim 13, as described above. Rather, Huitema discloses system that fetches most frequently requested domain names and stores them locally to improve DNS performance. (Abstract)

Accordingly, because Huitema does not teach or suggest the missing element from the combination of Bhatia and Strentzsch of "consulting a local store containing a list of domain or host names and attribute data, *in an order influenced, at least in part, by result speed,*" as discussed above and recited in claim 13, claim 22, which depends from claim 13, patentably distinguishes over the combination of Bhatia, Strentzsch, and Huitema. Therefore, the rejection of claims 22 should be withdrawn.

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### **CONCLUSION**

In view of the foregoing amendments and remarks, reconsideration is respectfully requested. This application should now be in condition for allowance; a notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50/2762.

Respectfully submitted,

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